

# Exhibit 1



# Ashcraft & Gerel, LLP

Attorneys & Counsellors at Law

Established in 1953

Lee C. Ashcraft 1908 – 1993 | Martin E. Gerel 1918 – 2011

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*Please respond to the Washington DC Office.*

August 6, 2020

## VIA ELECTRONIC MAIL

Susan M. Sharko, Esquire  
Faegre Drinker Biddle & Reath LLP  
600 Campus Drive  
Florham Park, NJ 07932-1047

**Re: *In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation, MDL No. 2728***

Dear Susan:

Now that the parties to this MDL have completed the general causation phase of this case, and the case-specific/bellwether process is underway in earnest, there are outstanding J&J witnesses whose testimony the PSC wants to preserve in the MDL on general liability issues.

Based on our current evaluation, the PSC seeks to depose the following J&J witnesses:

1. Helen Han Hsu;
2. Michael Chudkowski;
3. Jijo James;
4. 30(b)(6)witnesses to testify regarding the following topics:
  - a. J&J/JJCI's policies and procedures for risk assessment and risk mitigation for cosmetic products over the period of time Johnson's Baby Powder and Shower to Shower were used by women in these MDL proceedings;
  - b. J&J/JJCI Risk Assessment and Risk Mitigation Committees for cosmetic products over the period of time Johnson's Baby Powder and Shower to Shower were used by women in these MDL proceedings;

Baltimore 120 East Baltimore St. Suite 1802 Baltimore, MD 21202	Fairfax 8280 Willow Oaks Corp. Dr. Suite 600 Fairfax, VA 22031	Landover 4301 Garden City Dr. Suite 301 Landover, MD 20785	Silver Spring 8403 Colesville Rd. Suite 1250 Silver Spring, MD 20910	Washington D.C. 1825 K Street, NW Suite 700 Washington, D.C., 20006
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- c. J&J/JJCI advertising and advertising strategies for Johnson's Baby Powder and Shower to Shower over the period of time Johnson's Baby Powder and Shower to Shower were used by women in these MDL proceedings;
- d. The yearly and quarterly sales of J&J/JJCI Johnson's Baby Powder and Shower to Shower for the period of time those body powders were used by women in these MDL proceedings

Given that we do not expect the first MDL trial to occur until 2021, we are agreeable to having these depositions taken this fall. We are also willing to discuss amendments to CMO 11 that may be requested to address Covid-related concerns.

As I am sure you can appreciate, our evaluation of the evidence continues. We reserve the right to seek additional witnesses whose testimony we may deem necessary to a fair trial on the merits. In that regard, please be aware that the PSC reserves the right to seek live testimony from witnesses at trial.

In addition to the J&J witnesses listed above, the PSC is currently evaluating whether there are additional third party witnesses whose testimony ought to be preserved. The PSC reserves the right to seek the depositions of Imerys Talc America, Inc. witnesses should Imerys return to the tort system at some point in the future.

We are available on Monday afternoon to confer regarding the scheduling of the J&J witness depositions. We look forward to speaking with you.

Very truly yours,

/s/ Michelle A. Parfitt, Esq. /s/ *P. Leigh O'Dell*  
Michelle A. Parfitt P. Leigh O'Dell

cc: John Beisner, Esq. (via e-mail)  
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